

FILED
HARRISBURG, PA

JUL 22 2025

PER

DEPUTY CLERK

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

1:25-cv-1336
MJ Latella

JASON R. TODD,
CW3, U.S. Army (Ret.),
Pro Se

Plaintiff,

v.

COMMONWEALTH OF PENNSYLVANIA;
PENNSYLVANIA HUMAN RELATIONS COMMISSION;
DISABILITY RIGHTS PENNSYLVANIA;
PENNSYLVANIA DEPARTMENT OF HUMAN SERVICES;
DERRY TOWNSHIP, PENNSYLVANIA

Defendants.

Civil Action No. _____

COMPLAINT FOR CIVIL RIGHTS VIOLATIONS

Plaintiff Jason R. Todd, CW3 (Ret.), acting pro se and pursuant to 42 U.S.C. § 1983, Title II of the Americans with Disabilities Act (ADA), the PAIMI Act, and the Supremacy Clause of the U.S. Constitution, states as follows:

I. JURISDICTION AND VENUE

1. This Court has jurisdiction pursuant to 28 U.S.C. § 1331 and § 1343(a)(3), as this case arises under the Constitution and laws of the United States.
2. Venue is proper under 28 U.S.C. § 1391(b) as the events occurred in the Middle District of Pennsylvania.

III. FACTUAL ALLEGATIONS

9. On September 26, 2024, Plaintiff was violently assaulted by William Shoemaker, causing TBI and facial injury.
10. Despite the injuries, Derry Township downgraded charges and refused to intervene, suppressing medical and testimonial evidence delivered October 7, 2024.
11. On October 10, 2024, Shoemaker pled guilty to harassment, yet no ADA or victim support followed.
12. Plaintiff submitted sealed suicide risk documentation (Doc. 283) to federal court in early 2025.
13. The trauma was ignored by all Defendants. PHRC dismissed Plaintiff's retaliation case using false grounds. DRP took no action despite PAIMI obligation. DHS remained silent.
14. David Swartz, an agent of Selective Insurance, called Plaintiff on December 16, 2024, triggering a documented suicide crisis. This call and its impact are medically confirmed by the VA.

II. PARTIES

3. Plaintiff Jason R. Todd is a disabled U.S. Army veteran residing in Palmyra, Pennsylvania.
4. Defendant Commonwealth of Pennsylvania oversees all named state agencies and holds liability under the ADA and § 1983 for constitutional violations by state actors.
5. Defendant PHRC failed to act on ADA retaliation and sealed suicide trauma, misapplying Policy 90-1 and violating federal disability law.
6. Defendant DRP failed to protect Plaintiff under the PAIMI Act and ADA Title II despite formal complaints and VA-confirmed suicide trauma.
7. Defendant DHS oversees DRP and failed to enforce PAIMI protections, breaching statutory oversight duties.
8. Defendant Derry Township deliberately suppressed evidence of an ADA-qualified suicide crisis and police misconduct, violating § 1983 and ADA Title II.

15. Defendants suppressed or refused to acknowledge this federal trauma evidence, violating 42 U.S.C. § 12132 and § 10801 et seq.

IV. CLAIMS FOR RELIEF

COUNT I

(Violation of ADA Title II – All Defendants)

16. Plaintiff re-alleges all prior paragraphs.

17. Each Defendant failed to accommodate or protect Plaintiff after notice of severe mental disability and suicide risk.

18. These failures violated Plaintiff's rights under 42 U.S.C. § 12132 and caused lasting trauma and procedural harm.

COUNT II

(ADA Retaliation – PHRC, DRP, Derry Township)

19. Plaintiff engaged in protected activity by filing complaints and sealed trauma disclosures.

20. Defendants retaliated by dismissing complaints, suppressing evidence, or revoking filing access.

21. Such retaliation violates 42 U.S.C. § 12203.

COUNT III

(PAIMI Act Violation – DRP and DHS)

22. DRP is federally obligated to investigate risk of abuse, neglect, and suicide under 42 U.S.C. § 10801.

23. DHS, as DRP's overseer, failed to enforce these duties.

24. Their inaction violated Plaintiff's federal protection rights and caused avoidable psychological harm.

COUNT IV

(Suppression of Federal Evidence – All Defendants)

25. Defendants either ignored, obstructed, or refused to acknowledge sealed mental health evidence, in violation of the Supremacy Clause and 18 U.S.C. § 1519.

26. This caused irreparable harm and undermined federal access to justice.

COUNT V

(§ 1983 Civil Rights Violations – PHRC, DHS, Derry Township)

27. Defendants acted under color of state law to suppress Plaintiff's rights.

28. Plaintiff was denied due process, equal protection, and ADA rights.

V. RELIEF REQUESTED

WHEREFORE, Plaintiff respectfully requests:

- a. Compensatory damages in excess of \$20,000,000 against all Defendants jointly and severally;
- b. Declaratory relief that Defendants violated federal ADA and civil rights law;
- c. Injunctive relief requiring state agencies to accept sealed federal trauma records;
- d. Appointment of a federal monitor over PHRC and DRP disability handling;
- e. Any other relief this Court deems just and proper.

Respectfully submitted,

/s/ Jason R. Todd

Jason R. Todd

CW3, U.S. Army (Ret.)

Pro Se Plaintiff

Palmyra, PA

Dated: July 18, 2025

3. Peri Jude Radecic, Executive Director, Disability Rights Pennsylvania
1800 JFK Blvd., Suite 900, Philadelphia, PA 19103

4. Secretary Valerie A. Arkoosh, PA Department of Human Services
625 Forster Street, Harrisburg, PA 17120

5. Derry Township Manager
600 Clearwater Road, Hershey, PA 17033

Certified tracking numbers and return receipts will be maintained for court filing.

Executed this 18th day of July, 2025.

/s/ Jason R. Todd

Jason R. Todd

CW3, U.S. Army (Ret.)

Pro Se Plaintiff

A handwritten signature in blue ink, appearing to be 'JRT', is written over the printed name 'Jason R. Todd'. To the right of the signature, the date '7/18/25' is handwritten in blue ink.

DECLARATION OF MAILING

I, Jason R. Todd, hereby declare under penalty of perjury pursuant to 28 U.S.C. §1746 that on July 18, 2025, I caused true and correct copies of the foregoing:

- Civil Complaint
- Summons (AO 440)
- Civil Cover Sheet (JS-44)
- Notice of Electronic Filing Rights
- This Declaration of Mailing

to be served via Certified U.S. Mail with tracking and return receipt requested
upon the following:

1. Michelle A. Henry, Attorney General of Pennsylvania
Office of Attorney General, Strawberry Square, 16th Floor, Harrisburg, PA
17120
2. Chad Dion Lassiter, Executive Director, PHRC
333 Market Street, 8th Floor, Harrisburg, PA 17101

NOTICE OF ELECTRONIC FILING RIGHTS

To All Recipients:

Although I am proceeding pro se, all court filings in this matter will be tracked and served under the Electronic Case Filing (ECF) system of the U.S. District Court for the Middle District of Pennsylvania. Once you are served, you have the right and responsibility to register for electronic service in this case.

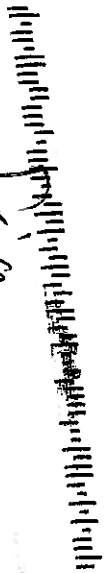
You may request access via: <https://www.pamd.uscourts.gov/electronic-case-filing>

All documents filed with the court will be public record, and failure to respond or engage within the timeframe provided by the Federal Rules of Civil Procedure may result in default or adverse judgment.

Thank you.

Jason R. Todd Pro Se Plaintiff

Full
223 River View
Columbus, PA 17076



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Clerk of Courts
MDC PA
1501 W. 6th Street
Harrisburg, PA 17102

